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Congress of the United States
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AND INCLUSION
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CIVIL RIGHTS, AND CIVIL LIBERTIES
SUBCOMMITTEE ON IMMIGRATION
AND CITIZENSHIP
TASK FORCE ON POVERTY AND OPPORTUNITY
VICE CHAIR ON URBAN POVERTY

April 2, 2020

The Honorable Greg Abbott
Office of the Governor-State of Texas
P.O. Box 1248
Austin, TX 78711-2428

The Honorable Ruth R. Hughs
Secretary of State-Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Dear Governor Abbott and Secretary Hughs:

We respectfully request your consideration to implement no-excuse vote-by-mail for all elections in the state of Texas until the end of this year, while preserving in-person voting opportunities for those who need them, as long as in-person voting locations are structured to respond to public health concerns.

On March 13, 2020, Governor Abbott officially declared a state of disaster for all counties in Texas due to the rapid spread of COVID-19. Furthermore, on March 25, 2020 President Donald Trump granted a Major Disaster Declaration for Texas.

The proposal requested above is plausible under current Texas law because of Governor Abbott and President Trump's recent disaster declaration. Section 418.016(a) of the Texas Government Code states that:

"The governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster."

We urge you to use this statute to waive all limitations on voting-by-mail statewide for elections taking place through the remainder of the year. It is vital that we act immediately to defend the constitutional rights of all Texans and prevent future COVID-19 related illnesses and deaths.

Currently, many Texans are unable to vote-by-mail due to strict eligibility guidelines and varying laws across municipalities. This causes confusion among the electorate and reduces voter turnout. However, a statewide no-excuse vote-by-mail order would let all Texans participate in

the electoral process, without risking exposure to COVID-19 in large crowds and long lines, which are all too common when voting in person.

No-excuse statewide voting-by-mail would protect the health of voters and polling place workers and volunteers. As of the date of this letter, the Centers for Disease Control (CDC) website suggests that election officials encourage “voting methods that minimize direct contact with other people.”¹ Specifically, the CDC suggests using “mail-in methods of voting if allowed in the jurisdiction” to combat the spread of COVID-19.²

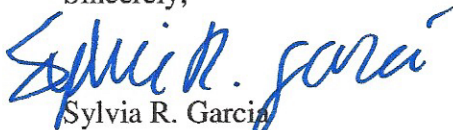
Still, we understand that in-person voting may be necessary in some instances. In this case, we ask that in-person polling location operations follow public health guidelines to ensure the health of voters and polling place workers and volunteers.

However, implementing no excuse vote-by-mail for the remainder of the year is the best way to implement CDC guidelines. It also eliminates confusion among Texas voters about mail-in ballot eligibility, prevents a decrease in voter turnout and protects the health of Texas voters and polling place volunteers to ensure that everyone can still perform their civic duties.

No one should have to decide between exercising their constitutional right to vote and their health and the health of their families.

Thank you for your attention to this matter. We look forward to working with you to defend the rights of Texans during this unprecedented health crisis.

Sincerely,


Sylvia R. Garcia
Member of Congress

Additional Cosigners:

Representative Lloyd Doggett
Representative Sheila Jackson Lee
Representative Veronica Escobar
Representative Colin Allred
Representative Al Green
Representative Joaquin Castro
Representative Lizzie Fletcher
Representative Vicente Gonzalez
Representative Henry Cuellar
Representative Eddie Bernice Johnson
Representative Marc Veasey
Representative Filemon Vela

¹ <https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>

² Ibid.